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Anoop K. Bhattacharjya

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EPSON RESEARCH AND DEVELOPMENT INC
INTELLECTUAL PROPERTY DEPT
2580 ORCHARD PARKWAY, SUITE 225
SAN JOSE, CA 95131

EXAMINER

KRASNIC, BERNARD

ART UNIT

PAPER NUMBER

2624

MAIL DATE

DELIVERY MODE

08/27/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/729,664	Applicant(s) BHATTACHARJYA, ANOOP K.	
	Examiner Bernard Krasnic	Art Unit 2624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 August 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. The amendment filed 8/01/2007 have been entered and made of record.

2. In response to the amendments filed on 8/01/2007:

The "Objections to the claims" have been entered and therefore the Examiner withdraws the objections to the claims.

The "Claim rejections under 35 U.S.C. 101" have been entered and therefore the Examiner withdraws the rejections under 35 U.S.C. 101.

3. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection because the Applicant has broadened the claims by deleting the limitation "compressed noisy" from the independent claims 1, 8, and 14.

4. Applicant's arguments filed 8/01/2007 have been fully considered but they are not persuasive.

The Applicant alleges, "Claim Rejections – 35 USC 103 ..." in pages 9-12, and states respectively that Parulski teaches interpolation and not spatially local maps as recited in the independent claims because the Applicant's specification defines the meaning of spatially local maps as "a linear map that relates the green color channel to the red and blue channels based on parameters that are determined locally at each pixel location using a least-squares algorithm defined in a small local neighborhood

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(applicant's specification, page 8, lines 3-12)" or as "a ratio of the local mean of the green channel to the local mean of either the blue or the green channel (applicant's specification, page 8, lines 21-25)". In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., applicants definition of spatial local maps in applicants specification, page 8, lines 3-12 and 21-25) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). The Examiner believes Parulski teaches that the first or green color component is enhanced or sharpened where the sharpening is essentially step (a) of the independent claim 1 and then the second or red and third or blue color values are estimated or determined after the green color component is sharpened through interpolation using the enhanced green color data (see Parulski, col.10, lines 61-67). Therefore Examiner has interpreted spatial local maps to be the interpolation relationship between the green and red and blue color data because interpolation definitely needs to appropriately map the appropriate interpolation weights in the spatial local neighborhood before the red and blue color data are interpolated and reconstructed using this enhanced green color data. This interpretation coincides with one of the Applicants interpretations (see Applicants specification, page 8, lines 13-17) where the green channel is de-noised and de-blurred (similar to Parulski's sharpening) and then the red and blue channels are processed and estimated (similar to Parulski's interpolation using the enhanced sharpened green channel). The rejections are

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maintained and therefore independent claim 1 with dependent claims 2-7 are not allowable over the prior art and similarly independent claims 8 and 14 with dependent claims 9-13 and 15-20 are not allowable over the prior art.

Claim Objections

5. Claim 14 objected to because of the following informalities:

Claim 14, lines 2-4: "causing computer to process digital images, the program of instructions" should be -- causing the computer to process digital images, the instructions --.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-4, 7-10, 13-17, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Daly (US 6,411,740 B1, as applied in previous Office Action) in view of Parulski et al (US 5,189,511, as applied in previous Office Action).

Re Claim 1: Daly discloses a method for processing digital images, comprising the steps of (a) processing initial first color data / initial color image of an image to obtain

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reconstructed first color data / improved perceived color image (see Fig. 4, col. 3, lines 1-5, col. 1, 10-16, col. 5, lines 57-67, col. 6, lines 1-38, col. 2, lines 45-50) image thereof by (a)(1) computing a transform / wavelet transform or DCT (22) representation of the initial first color data for each of a plurality of blocks (24) of the image, each computed transform representation comprising a plurality of transform coefficients (see Fig. 4, col. 3, lines 1-5, col. 1, 10-16, col. 5, lines 57-67, col. 6, lines 1-38), (a)(2) thresholding / sigmoid (26, as disclosed by the Applicant in the specification, the soft thresholding may be a sigmoid threshold) and scaling (28, a quantization scales the coefficients) the transform coefficients in each block (see Fig. 4, col. 3, lines 1-5, col. 1, 10-16, col. 5, lines 57-67, col. 6, lines 1-38), and (a)(3) inverting / Inverse Wavelet or IDCT (38) the thresholded and scaled transform coefficients in each block to determine a reconstructed first color value / improved perceived color image for a designated pixel each block (see Fig. 4, col. 3, lines 1-5, col. 1, 10-16, col. 5, lines 57-67, col. 6, lines 1-38).

However Daly fails to disclose or fairly suggest determining spatially local maps between at least a portion of the initial first color data and at least corresponding portions of each of initial second and third color data of the image and estimating reconstructed second and third color values from selected reconstructed first color values obtained in step (a) using the maps determined.

Parulski discloses determining spatially local maps / interpolation relationship between at least a portion of the initial first color data / green and at least corresponding portions of each of initial second / red and third / blue color data of the image; and (c)

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estimating reconstructed second / red and third / blue color values for the designated pixel in each block from selected reconstructed first color values obtained in step (a) using the maps determined in step (b) to obtain the reconstructed second and third color data of the image (see col. 10, lines 61-65, Parulski teaches that only the green color component is edge enhanced or sharpened which is essentially what steps a, a1, a2, and a3 accomplish, and using the enhanced green and interpolation means determines the red and blue reconstructed data).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Daly's method using Parulski's teachings by limiting the transform, thresholding, scaling, and inverse transforming the entire RGB color space to only the green component in order to provide high processing speed while keeping the improvement of the perceived visual image by sharpening enhancement (see Parulski, col. 10, lines 61-69, col. 11, lines 1-4).

Re Claim 2: Daly further discloses wherein each of the plurality of blocks (24) encompasses a neighborhood of pixels, each block having a respective designated pixel for which the reconstructed first color value is determined (see Fig. 4, col. 3, lines 1-5, col. 1, 10-16, col. 5, lines 57-67, col. 6, lines 1-38, each pixel of the different frequency content or frequency band images are referred to as coefficients of the transform and each coefficient describes frequency content of a specific designated pixel).

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Re Claim 3: Parulski further discloses processing step (a) is performed until a reconstructed first color value / green has been determined for each pixel in a particular neighborhood before proceeding to steps (b) and (c) in which reconstructed second and third color values are estimated (Parulski as discussed in claim 1 above discloses that the second or red and third or blue color values are estimated or determined after the green color component is sharpened through interpolation, the sharpening being performed essentially in step a) for the corresponding designated pixel from the reconstructed first color values in that neighborhood.

Re Claim 4: Parulski further discloses the first color data is green color data, the second color data is red color data, and the third color data is blue color data (see col. 10, lines 61-65).

Re Claim 7: Daly further discloses the thresholding in step (a)(2) is soft-thresholding / sigmoid (26, as disclosed by the Applicant in the specification, the soft thresholding may be a sigmoid threshold).

As to claims 14-17 and 20, the claims are the corresponding machine or computer readable medium for storing a program claims to claims 1-4 and 7 respectively. The discussions are addressed with regard to claims 1-4 and 7.

As to claims 8-10, the claims are the corresponding apparatus claims to claims 1-3 respectively. The discussions are addressed with regard to claims 1-3.

Re Claim 13: Parulski further discloses the apparatus comprises a computer / signal processing unit or printer / hard copy printer (see col. 4, lines 7-13).

8. Claims 5-6, 11-12, and 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Daly as modified by Parulski and in further view of Wetchler et al (US 6,196,663 B1, as applied in previous Office Action). The teachings of Daly as modified by Parulski have been discussed above.

However, as recited in claim 5, Daly as modified by Parulski fails to disclose or fairly suggest the step of performing a hue shift on the reconstructed green, red and blue color data.

Wetchler discloses the step of performing a hue shift on the reconstructed green, red and blue color data (see col. 8, lines 21-32).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify Daly's method, as modified by Parulski, using Wetchler's teachings by including the step of performing the hue shift before printing the colored image using Parulski's printer in order to provide the ability to print using the CMYK values and provide a color balance (see Wetchler, col. 8, lines 21-32).

As to claim 18, the claim is the corresponding machine or computer readable medium for storing a program claim to claim 5 respectively. The discussions are addressed with regard to claim 5.

As to claim 11, the claim is the corresponding apparatus claim to claims 4-5 respectively. The discussions are addressed with regard to claims 4-5.

However, as recited in claim 6, Daly as modified by Parulski fails to disclose or fairly suggest the step of interpolating the reconstructed image data to a different resolution.

Wetchler discloses the step of interpolating the reconstructed image data to a different resolution / improved resolution (see col. 8, lines 21-32).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify Daly's method, as modified by Parulski, using Wetchler's teachings by including the step of performing an interpolating to a different resolution before printing the colored image using Parulski's printer in order to provide the ability to print an improved resolution and provide a color balance (see Wetchler, col. 8, lines 21-32).

As to claim 19, the claim is the corresponding machine or computer readable medium for storing a program claim to claim 6 respectively. The discussions are addressed with regard to claim 6.

As to claim 12, the claim is the corresponding apparatus claim to claim 6 respectively. The discussions are addressed with regard to claim 6.

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bernard Krasnic whose telephone number is (571) 270-1357. The examiner can normally be reached on Mon-Thur 8:00am-4:00pm and every other Friday 8:00am-3:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jingge Wu can be reached on (571) 272-7429. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Bernard Krasnic
August 17, 2007



JINGGE WU
SUPERVISORY PATENT EXAMINER